

Appl. No. 09/291,227
Atty. Docket No. P-114
Amdt. Dated December 6, 2004
Reply to Office Action of June 7, 2004
Customer No. 27,752

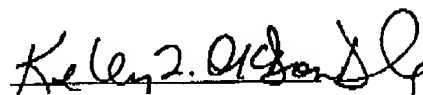
REMARKS

Upon entry of the amendments herein, Claims 1 and 3 - 8 will be pending in the present application. The claims have been amended to remove the limitation regarding animals being subjected to ordinary conditions and, therefore, none of the claims should be constructed or otherwise interpreted to recite or even suggest such a limitation. As such, the rejection based on 35 U.S.C. § 112 is moot and should be withdrawn. Moreover, Claims 9 - 11 have been canceled without prejudice to simplify the issues attendant with the present application; the rejections based on these claims are also therefore moot and should be withdrawn.

All amendments and cancellations are presented herein to prepare this application for appeal to the Board of Patent Appeals and Interferences. Respectfully, Applicant regards the Examiner's past rejections and rationale as flawed and not supported in established precedent or rules of practice. The rejection based on 35 U.S.C. § 103(a) is therefore in error and should be withdrawn for reasons stated in previous communications. Arguments set forth in previous replies of Applicant are reiterated and incorporated by reference herein to the extent fairly based on the amended claims presented in this reply. This reply is therefore fully responsive to the Office Action dated June 6, 2004.

Applicant therefore respectfully requests that the Examiner withdraw the rejections under 35 U.S.C. §§ 112 and 103(a) and allow Claims 1 and 3 - 8 as amended. If the Examiner believes that personal contact would be beneficial for disposition of the present application, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,



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